UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/811,442	03/20/2001	Yoshinori Kitahara	HITA.0040	9536

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EXAMINER
VO, HUYEN X

ART UNIT	PAPER NUMBER
2655	

DATE MAILED: 03/07/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<table>
<tr><td rowspan="3">Office Action Summary</td><td>Application No.
09/811,442</td><td>Applicant(s)
KITAHARA ET AL.</td><td></td></tr>
<tr><td>Examiner</td><td>Art Unit</td><td></td></tr>
<tr><td>Huyen X. Vo</td><td>2655</td><td></td></tr>
</table>

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>14 December 2005</u>.

2a)☒ This action is **FINAL**.   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>1-9,11-13 and 15-20</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>1-9,11-13 and 15-20</u> is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on <u>20 March 2001</u> is/are: a)☒ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☒ All b)☐ Some * c)☐ None of:

      1.☒ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☐ Notice of References Cited (PTO-892)
2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3)☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5)☐ Notice of Informal Patent Application (PTO-152)
6)☐ Other: _____.

DETAILED ACTION

Response to Amendment

1.   Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

2.   Applicant has submitted an amendment, filed 12/14/2005, amending claims 1-3, 12, and 18, while arguing to traverse prior rejection based an amended limitation regarding "*displaying, prior to receiving speech in a first language directed to the interpretation server, at least one of the plurality of registered sentences on the mobile terminal display communicatively connected to the interpretation server*" (pages 8-10 in the Remarks section). Applicant's argument has fully considered. However, upon

further consideration, a new ground(s) of rejection is made necessitated by claim

amendment.

3.   Objection to claim 3 has been withdrawn due to claim amendment.

Claim Rejections - 35 USC § 103

4.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

5.   Claims 1-6, 12-13, 15-16, and 18-20 are rejected under 35 U.S.C. 103(a) as

being unpatentable over Dietz (US 6385586) in view of Sukeda et al. (US 5854997).

6.   Regarding claims 1, 12, and 18, Dietz discloses a method for providing a speech

interpretation service, comprising: providing an interpretation server having resident

thereon a plurality of registered sentences to be interpreted (*col. 4, line 65 to col. 5, line*

20, any speech recognizer inherently includes acoustic models associated with

language models, which are model sentences); displaying the plurality of registered

sentences on a mobile terminal display communicatively connected to the interpretation

server (*col. 4, line 65 to col. 5, line 20, particularly col. 5, lines 1-8, recognition results*

are sent back to the client for verification); receiving the speech, in a first language,

inputted to the mobile terminal displaying at least one of the plurality of registered

sentences, at the interpretation server (*col. 4, line 65 to col. 5, line 20*); recognizing by

the interpretation server of the speech inputted based on a comparison of the inputted

speech to said displayed plurality of registered sentences (*col. 4, line 65 to col. 5, line*

20, speech recognizer); interpreting, by the interpretation server, the recognized speech

into a second language, according to said recognizing (*col. 4, line 65 to col. 5, line 20,*

translation system); and outputting a translation signal correspondent to the second

language to the terminal from the interpretation server (*col. 4, line 65 to col. 5, line 20*).

Dietz fails to specifically disclose the step of displaying, prior to receiving speech

in a first language directed to the interpretation server, at least one of the plurality of

registered sentences on the mobile terminal display communicatively connected to the

interpretation server. However, Sukeda et al. teach the step of displaying, prior to

receiving input in a first language directed to the interpretation server, at least one of the

plurality of registered sentences on the mobile terminal display (*col. 4, line 53 to col. 5,*

line 67, user selects one of a plurality of icons displayed when the device is turned on,

wherein each icon is associated with a set of pre-registered sentences. The pre-

registered sentences associated with selected icon are displayed on the device for user

selection. One of ordinary skill in the art would readily realize that user selection of pre-

registered sentences can be manual operation or by voice operation).

Since Dietz and Sukeda et al. are analogous art because they are from the same

field of endeavors, it would have been obvious to one ordinary skill in the art at the time

of invention to modify Dietz by incorporating the teaching of Sukeda et al. in order to

improve speech recognition accuracy and hence improve translation accuracy.

7.   Regarding claims 2, 4-6, and 19, Dietz further discloses the method of claim 1,

wherein the communicative connection is a mobile internet network (*col. 3, lines 61-67*);

the communicative connection is a telephonic audio network connection (*col. 3, lines

61-67*); wherein the translation signal comprises an audio signal that is outputted via the

telephone network (*col. 3, lines 61-67 and col. 5, lines 1-20*); receiving an approval

instruction from the mobile terminal before said outputting a translation signal

correspondent to the second language (*col. 5, lines 1-20*); wherein the approval

instruction is a press button approval instruction given at the mobile terminal, and

wherein said outputting a translation signal correspondent to the second language is in

accordance with the approval instruction, and narrowing, based on a dictionary

database, the ones of the plurality of registered sentences to ones related to the

displayed at least one of the registered sentences (*the functionality of a speech

recognizer, which is able to identify and determine the best recognition result*).

8.   Regarding claims 3 and 20, Dietz fails to specifically disclose the method of

claims 1 and 18, wherein the registered sentences are classified in a plurality of scenes,

further comprising: receiving a scene selection of a model sentence from the scene

options; and displaying a plurality of registered sentences classified into the selected

scene. However, Sukeda et al. further teach that registered sentences are classified in

a plurality of scenes, further comprising: receiving a scene selection of a model

sentence from the scene options (*col. 4, line 53 to col. 5, line 67*); and displaying a

plurality of registered sentences classified into the selected scene (*col. 4, line 53 to col.*

5, line 67).

Since Dietz and Sukeda et al. are analogous art because they are from the same

field of endeavors, it would have been obvious to one ordinary skill in the art at the time

of invention to modify Dietz by incorporating the teaching of Sukeda et al. in order to

improve speech recognition accuracy and hence improve translation accuracy.

9.   Regarding claim 13, Dietz fails to specifically disclose the memory comprises: a

command sentence table, including a plurality of command sentences, wherein said

speech recognizer differentiates the plurality of model sentences from the plurality of

command sentences, and wherein each of the plurality of command functions instructs

an action by the speech interpretation server. However, Sukeda et al. teach the

memory comprises: a command sentence table, including a plurality of command

sentences, wherein said speech recognizer differentiates the plurality of model

sentences from the plurality of command sentences, and wherein each of the plurality of

command functions instructs an action by the speech interpretation server (*col. 2, lines*

35 -41). Sukeda et al. describe a control program that stores model sentences,

command sentences and translated sentences in various tables [cards] within a

database that resides in the memory of a computer. In addition, the display shows

several command functions that can be used to access the data (Fig 3, (202); Fig 4 -

Fig 5). Storing data in computer memory and presenting a front-end with icons to retrieve data is basic to database operation.

Therefore, it would have been obvious to one of ordinary skill at the time of the invention to modify combination Dietz to store data in memory and provide command functions as taught by Sukeda et al. since it makes interpreting or translating sentences a much more efficient process (Sukeda, col. 2, line 35 -41).

10.   Regarding claim 15, the combination of Dietz in view of Sukeda et al. disclose each of the plurality of model sentences is classified according to a scene of use (menus) (Sukeda, Fig 7).

11.   Regarding claim 16, Dietz further disclose the speech interpretation server of claim 12, further comprising: a comparator, wherein said comparator compares the inputted speech to the plurality of model sentences displayed on the terminal in order to generate the prescribed symbol string (*that is the functionality of a speech recognizer*), wherein said speech output comprises a speech synthesizer output that outputs the second language to the mobile terminal in audio (*col. 5, lines 1-39*).

12.   Claim 7-9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Dietz (US 6385586) in view of Sukeda et al. (US 5854997), as applied to claim 1, and further in view of Goldberg et al. (US 6161082).

13.   Regarding claims 7-9, Dietz further discloses the step of outputting a translation

signal correspondent to the second language is in accordance with the approval

instruction (*col. 5, lines 1 to col. 6, line 13*), but fails to specifically disclose that the

approval instruction is an audio approval instruction or manual instruction given at the

mobile terminal, and wherein the approval instruction is selected from a speaking set,

and wherein the audio approval instruction is at least one selected from the group

consisting of a specific spoken word, a specific spoken phrase, and a specific spoken

sentence, from the speaking set and wherein said outputting a translation signal

correspondent to the second language is in accordance with the approval instruction.

However, Goldberg et al. teach that the approval instruction is an audio approval

instruction given at the mobile terminal (*col. 6, lines 63; col. 4, line 63 to col. 5, line 4*).

Since Dietz and Goldberg et al. are analogous art because they are from the

same field of endeavors, it would have been obvious to one of ordinary skill in the art at

the time of invention to modify Dietz by incorporating the teaching of Goldberg et al. in

order to provide conveniences for the user to verify speech recognition results.

14.   Claims 11 and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable

over Dietz (US 6385586) in view of Sukeda et al. (US 5854997), as applied to claim 1,

and further in view of Emery et al. (US 5727057).

15.   Regarding claims 11 and 17, Dietz fails to specifically disclose the steps of

identifying mobile terminals and billing users. However, Emery et al. teach the steps of

identifying the mobile terminal based on at least one identifying characteristic (col. 11, line 5), and charging a predetermined fee to the identified mobile terminal for said interpreting or service provided (col. 13, line 60). It is in the interest of all service providers to be able to track usage by customers for billing and other purposes.

Since Dietz and Emery et al. are analogous art because they are from the same field of endeavors, it would have been obvious to one of ordinary skill in the art at the time of invention to modify Dietz by incorporating the teaching of Emery et al. in order to track subscriber's usage of the service for billing purposes.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Huyen X. Vo whose telephone number is 571-272-7631. The examiner can normally be reached on M-F, 9-5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Richemond Dorvil can be reached on 571-272-7602. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

HXV   3/2/2006

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RICHEMOND DORVIL
SUPERVISORY PATENT EXAMINER